

Remarks

Claims 1-9, 11-26, and 28-35 are pending in the application. Claims 1-9, 11-26, and 28-35 currently stand rejected. Claims 1 and 19 are herein amended. Claims 18 and 35 are herein canceled. Claims 10 and 27 were previously canceled. The Applicant respectfully requests consideration of the following remarks and allowance of claims 1-9, 11-17, 19-26, and 28-34.

35 U.S.C. § 103(a) Rejections

Claims 1-9, 16-26, and 33-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,959,077 B1 (Calhoun) in view of ("Midwest Region: Primer for Local Number Portability," Issue 2, p. 1-31, 7/27/1997). (See the Office Action pages 2-5.) Claims 1 and 19 have been amended. Claims 18 and 35 have been canceled. The Applicant respectfully traverses the rejection for at least the following reasons.

Claim 1 has been amended to include all of the limitations of claim 18. Claim 19 has been amended to include all of the limitations of claim 35. Claims 18 and 35 have been canceled. Since claims 1 and 19 are now equivalent to prior claims 18 and 35, claims 1 and 19 will be discussed below with respect to the rejection of claims 18 and 35.

Claim 1 recites, in part, "in response to the occurrence of a predetermined event, programming a local copy of a local number portability database to direct communications for at least one phone number to a second switch, wherein the second switch is located in a different geographic area than the first switch, and wherein all the phone numbers actively terminated by the first switch are ported to the second switch."

The Office Action stated "Consider claims 18 and 35, Calhoun clearly shows the method and the communication system, all the phone numbers actively terminated by the first switch are ported to the second switch (Calhoun: col. 7, line 38-43)." (See the Office Action at page 5.) The Applicant respectfully traverses this characterization of the prior art.

The referenced portion of Calhoun simply discloses routing the call to an alternate destination if there is an alternate phone number in the database, and routing the call normally if there is no alternate number in the database. Calhoun specifically states (and

illustrates in Figure 2) that the subscriber must pre-configure a forwarding number, and for those subscribers that do not have a forwarding number, the default is to continue to route communication to the dialed number, not to a second switch. Calhoun does not disclose teach or suggest porting all the phone numbers actively terminated by the first switch to the second switch.

Neither Calhoun nor the Midwest Region: Primer for Local Number Portability disclose, teach, or suggest a method or communication system where all the phone numbers actively terminated by the first switch are ported to the second switch, and therefore cannot render claims 1 and 19 unpatentable.

Based on the foregoing comments, the Applicant contends that claim 1 is allowable in view of the cited references, and such indication is respectfully requested. Claim 19 was rejected for similar reasons as claim 1. Claim 19 contains limitations similar to claim 1 and is therefore allowable over the art of record for the same reasons as claim 1.

Claims 2-9, 16, and 17 depend from independent claim 1, and claims 20-26, 33, and 34 depend from independent claim 19, thus incorporating the limitations of their corresponding independent claims. Therefore, the Applicant asserts that claims 2-9, 16, 17, 20-26, 33, and 34 are allowable for at least the reasons given above in support of independent claims 1 and 19, and such indication is respectfully requested.

Claims 11, 12, 28, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,959,077 B1 (Calhoun) in view of ("Midwest Region: Primer for Local Number Portability," Issue 2, p. 1-31, 7/27/1997), and further in view of U.S. Patent No. 6,654,451 (Ward). (See the Office Action page 5.) The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 11 and 12 depend from independent claim 1, and claims 28 and 29 depend from independent claim 19, thus incorporating the limitations of their corresponding independent claims. Therefore, the Applicant asserts that claims 11, 12, 28, and 29 are allowable for at least the reasons given above in support of independent claims 1 and 19, and such indication is respectfully requested.

Claims 13-15 and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,959,077 B1 (Calhoun) in view of (“Midwest Region: Primer for Local Number Portability,” Issue 2, p. 1-31, 7/27/1997), and further in view of U.S. Patent No. 7,076,045 B1 (Gibson). (See the Office Action pages 56.) The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 13-15 depend from independent claim 1, and claims 30-32 depend from independent claim 19, thus incorporating the limitations of their corresponding independent claims. Therefore, the Applicant asserts that claims 13-15 and 30-32 are allowable for at least the reasons given above in support of independent claims 1 and 19, and such indication is respectfully requested.

Conclusion

Based on the above remarks, the Applicant submits that the claims in their present form are allowable. Additional reasons in support of patentability exist, but such reasons are omitted in the interests of clarity and brevity. The Applicant respectfully requests allowance of the claims.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is hereby authorized to charge Deposit Account No. 210765.

Respectfully submitted,

/Leslie P. Gehman/

SIGNATURE OF PRACTITIONER

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